

1 MITCHELL D. GLINER, Esq.  
Nevada Bar No. 3419  
2 3017 West Charleston Blvd., Suite 95  
Las Vegas, Nevada 89102  
3 (702) 870-8700  
(702) 870-0034 FAX  
4 Attorney for Plaintiff

5  
6 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
7

8 VIRGINIA STULTZ, )  
 )  
9 Plaintiff, ) NO.

10 vs. )

11 DCS ENTERPRISES, INC., d/b/a )  
DIVERSIFIED SERVICES GROUP, )  
12 a foreign corporation, )

13 Defendant. )

JURY DEMANDED

LAW OFFICES  
MITCHELL D. GLINER  
3017 W. Charleston Blvd.  
Suite 95  
Las Vegas, Nevada 89102  
(702) 870-8700

14 COMPLAINT

15 JURISDICTION

16  
17 1. The jurisdiction of this Court attains pursuant to the  
18 FDCPA, 15 U.S.C. § 1692k(d); 28 U.S.C. § 1331, 28 U.S.C. § 1332,  
19 the FCRA, 15 U.S.C. Section 1681(p) and the doctrine of  
20 supplemental jurisdiction. Venue lies in the Southern Division of  
21 the Judicial District of Nevada as Plaintiff's claims arose from  
22 acts of the Defendant perpetrated therein.

23 PRELIMINARY STATEMENT

24  
25 2. This action is instituted in accordance with and to  
26 remedy Defendant's violations of the Federal Fair Debt Collection  
27 Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), state  
28 law obligations brought as supplemental claims hereto and

1 Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C  
2 § 1681 et seq. ("FCRA").

3  
4 PARTIES

5 3. Plaintiff, Virginia Stultz, is a natural person who  
6 resides in Las Vegas, Nevada, and is a "consumer" as defined by 15  
7 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by  
8 15 U.S.C. Section 1692a(5). Plaintiff is a resident and citizen of  
9 the State of Nevada and of the United States. Plaintiff is also a  
10 "consumer" as defined by § 1681a(c) of the FCRA.

11 4. Defendant, DCS Enterprises, Inc., d/b/a Diversified  
12 Services Group, is a foreign corporation, the principal purpose of  
13 whose business is the collection of debts, operating a debt  
14 collection agency from its principal place of business in Highland  
15 Park, Illinois, and regularly collects or attempts to collect debts  
16 owed or due or asserted to be owed or due another, and is a "debt  
17 collector" as defined by 15 U.S.C. Section 1692a(6).

18 5. Defendant, DSC Enterprises, Inc., d/b/a Diversified  
19 Services Group, is also a furnisher of information as contemplated  
20 by FCRA § 1681s-2(a) & (b), who regularly and in the ordinary  
21 course of business furnishes information to one or more consumer  
22 reporting agencies about consumer transactions or experiences with  
23 any consumer.

24 FACTUAL ALLEGATIONS

25 6. Plaintiff repeats, realleges and asserts all factual  
26 allegations contained in the preliminary statement to this  
27 Complaint and reassert them as incorporated in full herein.

1 7. Plaintiff paid the debt underlying this action on  
2 December 7, 2004.

3 8. Plaintiff has repeatedly advised Defendant of the  
4 account's fully paid status.

5 9. During September, 2006, Plaintiff disputed Defendant's  
6 account with the credit reporting agencies Experian and Trans  
7 Union.

8 10. The Experian dispute (Exhibit 1) was conveyed to  
9 Defendant.

10 11. Exhibit 1 contained the original creditor's confirmation  
11 of settlement.

12 12. On October 6, 2006, Defendant verified the ostensibly  
13 unpaid status of Plaintiff's account (Exhibit 2).

14 13. The presence of the subject tradeline on Plaintiff's  
15 credit profiles violates FDCPA §§ 1692e and 1692e(8) and has  
16 impaired Plaintiff's access to financing. Brady v. Credit Recovery  
17 Co., Inc., 160 F.3d 64 (1st Cir. 1998).

18 CAUSES OF ACTION

19 COUNT I

20 14. The foregoing acts and omissions of Defendant constitute  
21 violations of the FDCPA, including, but not limited to, Sections  
22 1692c, 1692d, 1692e and 1692f.

23 15. Plaintiff is entitled to recover statutory damages,  
24 actual damages, reasonable attorney's fees, and costs.

25  
26 COUNT II

27 16. Defendant's acts and omissions constitute unreasonable  
28 debt collection practices in violation of the doctrine of Invasion

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3017 W. Charleston Blvd.  
Suite 95  
Las Vegas, Nevada 89102  
(702) 870-8700

1 of Privacy. Kuhn v. Account Control Technology, Inc., 865 F. Supp.  
2 1443, 1448-49 (D. Nev. 1994); Pittman v. J. J. Mac Intyre Co. of  
3 Nevada, Inc., 969 F. Supp. 609, 613-14 (D. of Nev. 1997).

4 17. Plaintiff is entitled to recover actual damages as well  
5 as punitive damages in an amount to be proven at trial.

6 COUNT III

7 18. In the entire course of its action, Defendant willfully  
8 and/or negligently violated the provisions of the FCRA in the  
9 following respects:

10 a. By willfully and/or negligently failing to comport  
11 with FCRA § 1681s-2(b).

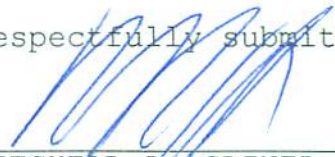
12 JURY DEMANDED

13 Plaintiff hereby demands trial by a six-person jury on all  
14 issues so triable.

15 WHEREFORE, Plaintiff prays that this Honorable Court grant the  
16 following relief:

- 17 1. Award actual damages.  
18 2. Award punitive damages.  
19 3. Award statutory damages of \$1,000.00 pursuant to 15  
20 U.S.C. § 1692k.  
21 4. Award reasonable attorney fees and costs.  
22 5. Grant such other and further relief as it deems just  
23 and proper.

24 Respectfully submitted,

25  
26   
27 MITCHELL D. GLINER, ESQ.  
28 Nevada Bar #003419  
3017 W. Charleston Blvd., #95  
Las Vegas, Nevada 89102  
Attorney for Plaintiff

## Dispute form

For the fastest and easiest way to dispute information, visit:

**www.experian.com/disputes**

Or, call us for assistance at:

**1 800 509 8495**

Use this form for any disputes you wish to submit by mail.

Complete all of the information on the form below and mail it to Experian, P.O. Box 9701, Allen TX 75013, within 90 days from the report date listed above. Once we receive your dispute, it may take up to 30 days (or up to 45 days for an investigation of information in an annual free credit report) to complete our investigation with the source of the disputed information. We will then notify you of the results. You may make copies of this form to submit additional disputes or write them on a separate piece of paper.

Remember, most accurate negative information will remain a part of your credit history for up to seven years, bankruptcies for up to 10 years and unpaid tax liens for up to 15 years. Positive information may remain indefinitely; however, Experian generally retains positive accounts for up to 10 years after the account is closed or paid. Experian is regulated by federal law and we cannot remove information that has been verified as accurate from your credit report.

**Your current identification information** (correct any incorrect information)

**Fill in your Social Security number:** \_\_\_\_\_  
(We cannot process your request without your Social Security number.)

**Current Mailing Address:** 7209 DINGO CT LAS VEGAS NV 89119-4556  
**Year of birth:** 1961

Is any of the information below incorrect on your report?

☐ Spouse's name ☐ Telephone number - Which one is incorrect? \_\_\_\_\_

☐ Employer - Which one is incorrect? \_\_\_\_\_

☐ Date of birth - Fill in your correct date of birth: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

☐ Address - Which one is incorrect? \_\_\_\_\_

To receive an e-mail notice that the results of your investigation are ready to view online, write your e-mail address below:

## First dispute

Company name: LABETTE DISTRICT COURT

Your partial account number: ID# 99232 (99L232P)

I believe this item is incorrect because (Choose only one):

☐ Payment never late ☐ Account closed ☐ Paid in full - On what date? \_\_\_\_ / \_\_\_\_ / \_\_\_\_

☐ Account included in bankruptcy - Chapter: \_\_\_\_ Filing date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

☐ Not my account - Who does it belong to? \_\_\_\_\_

☒ Other - Must explain: THIS JUDGEMENT IS LISTED FROM WRONG AMOUNT SEE COURT PAPERS. ALSO NOTE I HAVE TRIED TO MAKE RESTITUTION AND THE OWNER WILL NOT ALLOW ME TO. HE REFUSES TO CASH CHECK

THEREFORE, I AM REQUESTING THIS BE REMOVED

## Second dispute

Company name: LABETTE DISTRICT COURT

Your partial account number: ID# 1204 (01L204PA) SCHWANS SALES

I believe this item is incorrect because (Choose only one):

☐ Payment never late ☐ Account closed ☒ Paid in full - On what date? 02 / 23 / 05

☐ Account included in bankruptcy - Chapter: \_\_\_\_ Filing date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

☐ Not my account - Who does it belong to? \_\_\_\_\_

☐ Other - Must explain: THIS ACCOUNT WAS SETTLED AS PAYMENT IN FULL SEE ATTACHED LETTER

## Third dispute

Company name: LABETTE SMALL CLAIMS

Your partial account number: ID# 9974 (99SC74P)

I believe this item is incorrect because (Choose only one):

☐ Payment never late ☐ Account closed ☒ Paid in full - On what date? 05 / \_\_\_\_ / 2000

☐ Account included in bankruptcy - Chapter: \_\_\_\_ Filing date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

☐ Not my account - Who does it belong to? \_\_\_\_\_

☐ Other - Must explain: WE SPOKE WITH BUD SIMMONS ON 12/07/04 & HE STATED THIS ACCOUNT WAS SATISFIED 05/2000



EXHIBIT 1

EXPERIAN CONTINUED: DISPUTES VIRGINIA STULTZ REPORT #0668866948

X FOURTH DISPUTE:

DIVERSIFIED SERVICES GROUP

PARTIAL ACCOUNT #C27336C38199

THIS ACCOUNT WAS SETTLED AS PAYMENT IN FULL 12/07/04.

FIFTH DISPUTE:

LVNV FUNDING

PARTIAL ACCOUNT # 7498199782

THIS ACCOUNT IS NOT MINE. I HAVE REQUESTED PROOF THAT THIS DEBT IS MINE ON TWO (2) SEPERATE OCCASIONS AND THEY STILL HAVE NOT PROVIDED ANY SUCH EVIDENCE TO ME. REMOVE FROM MY CREDIT REPORT, IT IS NOT MY ACCOUNT.

CREDIT COUNSELLORS  
MANAGEMENT SERVICES

4275 E. Sahara, Suite #3  
Las Vegas, Nevada 89104  
Telephone: (702) 641-0008  
Fax: (702) 641-7667

December 7, 2004

Parsons Pet Hospital  
Atten: Carol  
5021 Main St.  
Parsons, Ks. 67357

RE: Virginia Harris

ACCT #: 2820 (SS# 1919)

Dear Sirs:

Please be advised that we are attempting to make settlements on debts owed on the above clients accounts with his/hers creditors.


At this time our client is able to offer settlement on his/her account with your firm of \$415.00. If this amount is acceptable to you, please sign below and return this letter and we will forward the settlement amount immediately.

Thank you for your consideration.

Sincerely,

*Crystal Anderson*

Our firm, Parsons Pet Hospital (Company Name) does hereby agree to settle for the amount and consider the debt settled upon receipt of this amount. Upon receipt of this payment, all Credit Reporting Agencies will be notified of settlement in full.

  
\_\_\_\_\_  
Signature/Title (EVA DUDECK)

12-7-04  
Date



RE: Stultz, Harry  
*Virginia Harris*  
 Account Number:  
 #2820 (SS# -1919)

**MANAGEMENT SERVICES**

220298

220298

4275 E. SAHARA AVENUE, SUITE 3  
 LAS VEGAS, NEVADA 89104  
 (702) 641-0008



Four hundred Fifteen and 00 cents

94-169  
 1212

DATE 12/07/2004

\$ 415.00

Parsons Pet Hospital  
 5021 Main St.  
 Parson, KS 67357-

NOT VALID AFTER 50 DAYS  
 TRUST ACCOUNT

PAY TO THE ORDER OF

⑈ 220298 ⑈ ⑆ 121201694 ⑆ ⑆ 53790075060 ⑈

⑈ 00000011500 ⑈

123000220 12162004.4959  
 S/T 096 ID 1B FKT 4  
 ACCT 22900531120050

2220520001  
 1000250222  
 12-14-2004  
 Labette Bank

FOR DEPOSIT ONLY  
 PARSONS PET HOSPITAL

ENDORSEMENT OF THIS CHECK ACKNOWLEDGES  
 PAYMENT OR SETTLEMENT IN FULL

5734586181





Prepared for  
VIRGINIA STULTZ  
Report number  
3091139629

Report date  
October 06, 2006  
[www.experian.com/disputes](http://www.experian.com/disputes) Page 3 of 16

## Investigation results

### About our dispute verification process

This summary shows the revision(s) made to your credit file as a result of the verification we recently completed. If you still question an item, then you may want to contact the source of the information.

The federal Fair Credit Reporting Act states that you may:

- request a description of how we verified the information, including the business name and address contacted and the telephone number if reasonably available;
- add a statement disputing the accuracy or completeness of the information; and
- request that we send these results to organizations who have reviewed your credit report in the past two years for employment purposes or six months for any other purpose.

If no information follows, our response appeared on the previous page.

### How to read your results

**Deleted** - This item was removed from your credit report

**Remains** - This item has been verified as accurate

**Updated** - A change was made to this item; review this report to view the change. If ownership of the item was disputed, then it was verified as belonging to you.

**Reviewed** - This item was either updated or deleted; review this report to learn its outcome

### Items we investigated

We completed investigating the items you disputed with the sources of the information. Here are the results:

Public records	Outcome
LABETTE SMALL CLAIMS 9...	<i>Reviewed</i>
LABETTE DISTRICT COU 1...	<i>Remains</i>
Credit items	Outcome
LVNV FUNDING 7498199782....	<i>Updated</i>
DIVERSIFIED SVS GROUP C27336C3....	<i>Remains</i>

Visit [experian.com/status](http://experian.com/status) to check the status of your pending disputes at any time

### If you have questions

For the fastest and easiest way to dispute visit:  
[experian.com/disputes](http://experian.com/disputes)  
or call, 800 509 8495.

Dispute services are available 24 hours a day, seven days a week.

Contact us within 90 days from the date on this report and be sure to have your report number.

To order a copy of your Experian VantageScore<sup>SM</sup>, visit [experian.com](http://experian.com) or call 1 888 322 5583.

Protect and manage your credit with Credit Manager, [www.creditexpert.com](http://www.creditexpert.com)

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data furnisher (i.e., "Cancer Center") that reports your payment history to us. If so, those names display in your report, but in reports to others they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

EXHIBIT 2





Prepared for  
VIRGINIA STULTZ  
Report number  
3091139629

Report date  
October 06, 2006  
www.experian.com/disputes  
Call 800 509 8495

Page 6 of 16

Credit items *continued*

<b>--6-- DIVERSIFIED SVS GROUP</b> 5800 E THOMAS RD STE 107 SCOTTSDALE AZ 85251 <i>No phone number available</i> <b>Partial account number</b> C27336C38199	<i>Date opened</i> Feb 2002  <i>Reported since</i> Jun 2003	<i>Date of status</i> Jun 2003  <i>Last reported</i> Sep 2006	<i>Type</i> Collection  <i>Terms</i> 1 Months  <i>Monthly payment</i> NA	<i>Responsibility</i> Individual	<i>Credit limit or original amount</i> \$443  <i>High balance</i> NA	<i>Recent balance</i> \$443 as of Sep 2006	Status: Collection account. \$443 past due as of Sep 2006. Account history: Collection as of Jul 2006 to Sep 2006, Mar 2006 to May 2006, Jan 2005 to Jan 2006, Nov 2004, Oct 2004, Jan 2004, Nov 2003, Jun 2003 This account is scheduled to continue on record until Feb 2008. This item was verified on Sep 2006 and remained unchanged.
Original creditor: PARSON S PET HOSPITAL							
<b>--7-- LANSING POSTAL COMM C U</b> PO BOX 22098 LANSING MI 48909 <i>No phone number available</i> <b>Partial account number</b> 447131020001....	<i>Date opened</i> Jan 1997  <i>Reported since</i> Dec 1996	<i>Date of status</i> Apr 2001  <i>Last reported</i> Sep 2006	<i>Type</i> Revolving  <i>Terms</i> NA  <i>Monthly payment</i> \$57	<i>Responsibility</i> Joint	<i>Credit limit or original amount</i> \$2,500  <i>High balance</i> \$4,099	<i>Recent balance</i> \$1,418 as of Sep 2006  <i>Recent Payment</i> \$152	Status: Open/Current, was past due 60 days. Account history: 60 days as of Mar 2001, Feb 2001 30 days as of Aug 2000 to Jan 2001, Mar 2000 to May 2000, Jan 2000 As of May 2007, this account is scheduled to go to a positive status.

See History of account balances for additional information.

